



# North Union Farmers Market

**Rules and Regulations** Read these rules carefully before signing your Application and keep this copy for your records. Failure to observe them may result in charges, suspension or termination of your Market assignment. If you have any questions, please contact Emma Visnic, *General Manager* (referred to as "Manager"), at 216.751.7656.

## SALES REGULATIONS

1. Only regional farmers, family members, partners, employees or members of a cooperative farming group may sell at the North Union Farmers Market (referred to as "Market"). No brokers or resellers are permitted.
2. Produce/products sold must be grown/produced by the principal farmer/producer (referred to as "Farmer" or "Producer"). Only those items listed on the Farmer's Application may be sold. The Farmer must notify the Market in writing of any proposed changes before bringing previously unlisted items to the Market.

In the case of families and co-ops, and with prior approval from the Manager, produce may be supplemented with produce from neighboring farms (within a 40-mile radius of your farm) by no more than 25%. Farmers are prohibited from purchasing produce from an auction or at wholesale for resale at the Market.

3. The Market reserves the right to inspect and to spot visit any farm or establishment throughout the season. If possible, advance notice will be given. Unless otherwise permitted, visits will be made only with a farm representative present.
4. Produce offered for sale must be grown, harvested and cared for post-harvest to assure customers receive fresh, high-quality products. Over-produce useful for processing (i.e. sauce) must be labeled as such. Deteriorated produce may be removed by the Manager.
5. For all products labeled as certified organic, a current certificate (copy) from a NOP (National Organic Program) Accredited Certifying Agency must be submitted with your application. If your certificate is updated during the season, a copy must be sent to the office. A copy of your certificate must be displayed in your area when you are at market. Verbal or written declarations of organic status or organically grown without the organic certificate on file and on hand, will result in suspension or termination from the market. (This is also subject for fines up to \$11,000 per incident by the USDA).

Only those items listed on the certificate may be represented as organic at the market, items for sale that are not on the certificate will need to be separated and labeled as non organic at market.

Any other third party verifications must be submitted with your application and be displayed on site (Animal Welfare Approved, NonGMO verified, Certified Humane, USDA Grassfed (for beef and lamb)).

6. The following edible items may be sold and unless otherwise specified, these items must be produced by Producers on their farms or in their facilities according to state and federal requirements.

- a. **CIDER AND FRUIT JUICE:** may be sold only by growers of these fruits. Juice may be pressed off-farm, but Producers must provide the name and address of the mill. The mill must supply a label listing all ingredients and allow access for inspection.
  - b. **DRIED FRUIT:** must be from only fruit grown and dried by the Producer. Preservatives must be indicated on label.
  - c. **NUTS:** must be foraged by the Producer from his/her own farm.
  - d. **HONEY:** Producer must own the hives from which honey is extracted and bottled. Processed honey products may be sold only by honey Producers and are subject to Market approval.
  - e. **JAMS AND PRESERVES:** must be prepared from fresh produce grown by the Producer in compliance with state law. Contact the Ohio Department of Agriculture for information.
  - f. **MEAT PRODUCTS:** must be from animals raised from weaning by the Producer. Animals may be butchered and smoked off-farm provided the meat sold is from the Producer's own animals.
  - g. **CHEESE AND OTHER DAIRY PRODUCTS:** must be made by the Producer. Producer must have a dairy herd providing at least 60% of the milk used to make the dairy products. With prior approval from the Manager, up to 40% of the milk used to make the products may be purchased from neighboring farms (within a 40-mile radius of your farm). Producer may not purchase milk produced by another species of animal other than his/her herd.
  - h. **EGGS AND POULTRY:** must be from the Producer's own fowl (preferably free-range), be kept below 45 degrees F and be properly labeled.
  - i. **GRAIN PRODUCTS:** pancake mix, granola, pasta and other products must be made from grain grown by the Producer. Grain products may be processed off farm provided only the Producer's grain is used in the manufacture of these products.
  - j. **MAPLE SYRUP:** must be from the Producer's own or a rented tree or sugar bush, and the final product must be processed by the Producer. Fresh regional fruit may be added to maple syrup for flavoring.
  - k. **BAKED GOODS:** these include breads, cakes, pies and cookies and must be baked by the Producer in a certified kitchen. Baked goods must be kept covered at the Market.
7. All packaged items (wrapped, bottled, or canned) must be labeled with Producer's name, address, list of ingredients, and weight.

## Rules and Regulations *continued*

- 8. THE FOLLOWING NON-EDIBLE ITEMS MAY BE SOLD AT THE MARKET:** flowers, plants, dried flowers, dried flower arrangements, vine wreaths, gourds and beeswax candles. All materials must be found, grown, foraged and/or produced by the Producer on his/her farmland.
9. Other items: products not specifically listed in these rules must be approved in advance of sale by the Manager.

*For additional information on requirements, contact the Ohio Department of Agriculture, Division of Food, Dairy and Drug, 8995 East Main Street, Columbus, OH 43609*

### RULES OF OPERATION

1. The Market Manager is responsible for space assignments, public safety and enforcement of the Market's rules. Follow the Manager's directions at the Market. Any disagreements may be referred to the Board at a later time.
2. Farmers should arrive at least 30 minutes before the Market opens and be set up and ready to sell at start up time. Latecomers may be denied admission at the Manager's discretion.
3. Once your vehicle is parked in place, the motor must be turned off and kept off. Use a quiet generator if refrigeration is necessary.
4. Prior to commencing sales, Market prices for all items must be visibly posted. A sign identifying the name and location of the farm must be properly displayed.
5. Operate your stand in a safe and sanitary manner. You should arrange your table to create an attractive display. Keep the sales area clean of debris, and keep produce off the ground.
6. Farmers must be courteous and honest at all times. Disagreements with other growers, customers, or the Manager must be handled in a respectful manner. Failure to adhere to these principles may result in a suspension or termination of your privilege to sell at the Market.
7. You must pay in advance for Market space. If you pay daily, have a check or money order payable to the North Union Farmers Market ready for collection by the Manager. Late payments and returned checks may result in the reduction, suspension and revocation of your Market space.
8. You are individually responsible for complying with all applicable local (county or city), state, and federal requirements for any approval or certification **to produce** your product for resale and also any necessary license **to sell** your product at retail. This may include obtaining a license as a mobile retail food establishment. Farmers selling non-consumable items are subject to sales tax. Produce or items in violation of North Union Farmers Market Rules and Regulations or local, state or federal requirements may be removed by the Manager.  
  
The Market is registered with the Director of the Ohio Department of Agriculture as a farmers market. Under Ohio law, a person at a registered farmers market is exempt from the requirement to be licensed as a retail food establishment so long as the farmers market offers for sale:
  - fresh, unprocessed fruits or vegetables;
  - cottage food products;
  - maple syrup, sorghum, or honey; or
  - commercially repackaged food that is not potentially hazardous.A Producer who wishes to sell non-exempt products (for example: poultry, eggs, cheese, and meat) at the Market needs to: be verified as an approved source; meet all labeling requirements; and obtain any necessary license to sell retail from their local (county or city) health department.
9. Scales must be accepted and sealed by the Ohio Department of Consumer Affairs and approved by the City of Cleveland Division of Weights and Measurers. Unsealed or unregistered scales may be subject to confiscation by City inspectors.
10. Clean your sales area and take home all refuse at the end of your sales day. If you are selling readily consumable items, provide an approved receptacle for used wrappers, napkins, etc. Failure to clean your site will result in a \$25 fine payable to North Union Farmers Market within a week of being cited. Failure to pay the fine may result in expulsion from the Market.
11. If you cannot attend the Market, 48-hour notice must be given. Failure to do so will result in being charged for the Market space and/or the suspension or termination of your Market assignment.
12. The Board reserves the right to admit or to reject any Farmer for any reasons not prohibited by law.

**ADOPTED BY THE NORTH UNION FARMERS MARKET BOARD OF TRUSTEES ON MAY 25, 1995; REVISIONS APPROVED BY THE BOARD ON JANUARY 23, 2006.**